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August 29, 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application No. 10/647,093 filed 08/22/2003  
Applicant: Frank DePaul  
Title: **LUBRICATING OIL RECONDITIONING DEVICE AND PROCESS**  
Attorney Docket No. 24392

Sir/Madam:

Transmitted herewith for filing and pursuant to 37 C.F.R. §§ 1.56 and 1.97 is an Information Disclosure Statement. Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- ☒ Form **PTO/SB/08A** list of 46 references submitted for consideration.
- ☐ Legible copies of the listed references or their relevant portions.
- ☒ Legible copies of the listed non-patent documents and foreign documents or their relevant portions are included.
- ☒ Copies of U.S. patents and/or publications are not included pursuant to the Official Gazette Notice, dated Aug. 5, 2003, waiving the requirement of 37 C.F.R. 1.98(a)(2)(i).
- ☐ All English translations of each non-English reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

- ☐ Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.

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The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

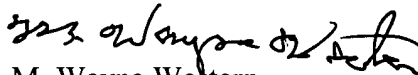
- ☐ Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.
- ☐ Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.
- ☐ Statement that certain listed references not enclosed were previously cited by or submitted to the Office in prior application no. \_\_\_\_\_, filed on \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

- ☐ Statement under 37 C.F.R. § 1.97(e)(1) or (2).
- ☐ Check No. \_\_\_\_\_, which includes the amount of \$\_\_\_\_\_ (amount in § 1.17(p)) constituting the submission fee set forth in 37 C.F.R. § 1.17(p).

In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Statement meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 20-0100 of the undersigned.

Respectfully submitted,

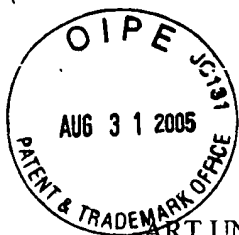


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MWW/ESE/jmw



IN THE UNITED STATES PATENT & TRADEMARKS OFFICE

ART UNIT:

EXAMINER:

APPLICANT: Frank DePaul

SERIAL NO.: 10/647,093

FILED: 08/22/2003

CONFRM. NO.: 9866

**CERTIFICATE OF MAILING**  
**UNDER 37 CFR § 1.8**

DATE OF DEPOSIT: *August 29, 2005*

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Julie Wagner*

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form **PTO/SB/08A** which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed pursuant to:

☒ 37 C.F.R. § 1.97 (b)(1) or (3), within three months of the filing date of the application, or before a first office action on the merits, whichever occurs last;

☐ 37 C.F.R. § 1.97 (c), after a first office action on the merits, but before a Final Office Action or a Notice of Allowance, whichever occurs first, and is accompanied by either 1) a statement in accordance with 37 C.F.R. § 1.97 (e), or 2) the fee set forth in § 1.17(p); or

☐ 37 C.F.R. § 1.97 (d), after a Final Office Action or Notice of Allowance, whichever occurs first, but on or before payment of the issue fee, and is accompanied by both 1) a statement in accordance with 37 C.F.R. § 1.97(e), and 2) the fee set forth in § 1.17(p).

While no representation is made that any of these references may be "prior art" within the meaning of that term in accordance with 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

☐ A legible copy of each listed U.S. Patent or publication (or relevant portion thereof) which was not previously submitted to, or cited by, the Patent Office is enclosed pursuant to 37 C.F.R. §§ 1.97 and 1.98.

☒ A legible copy of each of the listed non-patent literature and foreign documents or their relevant portions is enclosed.

☒ Copies of cited U.S. patents and/or publications are NOT enclosed pursuant to the Official Gazette Notice, dated Aug. 5, 2003, waiving the requirement of 37 C.F.R. § 1.98(a)(2)(i).

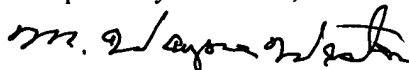
☐ Copies of the references listed in the accompanying Form PTO/SB/08A AND PTO/SB/O8B are NOT enclosed because, under 37 C.F.R. § 1.98(d), they were previously cited by or submitted to the Office in application number \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

For all listed references that are not either in the English language, or accompanied by a translation into English, a concise explanation of relevance as required under 37 C.F.R. § 1.98(a)(3) is enclosed attached to each.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or to credit any overpayment to Deposit Account No. 20-0100.


Dated this 29 day of August, 2005.

Respectfully submitted,

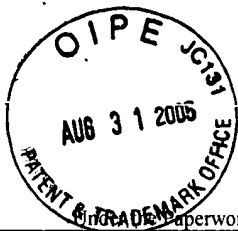


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MWW/ESE/jmw  
Enclosure



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>Substitute for form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	10/647,093
		Filing Date	08-22-2003
		First Named Inventor	Frank DePaul
		Art Unit	
Examiner Name			
Attorney Docket Number	24392		
Sheet	1	OF	3

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	2,001,857	05-21-1935	J.B. Watson	
	2	2,068,473	01-19-1937	W. Schwalge	
	3	2,159,994	05-30-1939	T.A. La Brecque	
	4	2,161,964	06-13-1939	T.A. La Brecque	
	5	2,173,631	09-19-1939	J.A. Niedens	
	6	2,219,101	10-22-1940	N.J. Finwall	
	7	2,336,021	12-07-1943	T.A. La Brecque	
	8	2,346,042	04-04-1944	B. Morris	
	9	2,425,377	08-12-1947	T.A. La Brecque	
	10	2,635,759	04-21-1953	W.C. Schwalge	
	11	2,785,109	03-12-1957	W.C. Schwalge	
	12	2,909,284	10-20-1959	K.A. Watkins	
	13	3,356,182	12-05-1967	L. Robinson et al.	
	14	3,392,803	07-16-1968	L. Robinson et al.	
	15	3,616,885	11-02-1971	Priest	
	16	3,756,412	09-04-1973	Barrow	
	17	3,845,751	11-05-1974	Runstetler	
	18	3,859,975	01-14-1975	Hines	
	19	3,915,860	10-28-1975	Priest	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> – Kind Code <sup>5</sup> (if known)				
	1	EP 0 295 871 A2	12-21-1988	Refineco Manufacturing Company, Inc.		

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08A (08-03)

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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/647,093
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				Art Unit	
Examiner Name					
Sheet	2	OF	3	Attorney Docket Number	24392

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		Number-Kind Code <sup>2</sup> (if known)			
	1	3,956,071	05-11-1976	O'Brien	
	2	4,006,084	02-01-1977	Priest	
	3	4,093,548	06-06-1978	Sterkenburg et al.	
	4	4,115,201	09-19-1978	Malec	
	5	4,146,475	03-27-1979	Forsland	
	6	4,261,838	04-14-1981	Halleron	
	7	4,295,966	10-20-1981	LeBlanc et al.	
	8	4,337,119	05-29-1982	Donahue	
	9	4,338,189	07-06-1982	Johnson, Sr.	
	10	4,349,438	09-14-1982	Sims	
	11	4,354,946	10-19-1982	Warlick et al.	
	12	4,369,110	01-18-1983	Picek	
	13	4,388,185	06-14-1983	Ott et al.	
	14	4,443,334	04-17-1984	Shugarman et al.	
	15	4,717,474	01-05-1988	Sims	
	16	4,758,338	07-19-1988	Johnson, Sr.	
	17	4,830,745	05-16-1989	van der Meulen	
	18	4,898,668	02-06-1990	Hodgkins et al.	
	19	4,933,093	06-12-1990	Keller	

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	1	4,971,704	11-20-1990	Johnson, Sr.	
	2	5,198,104	03-30-1993	Menyhert	
	3	5,211,856	05-18-1993	Shen	
	4	5,242,034	09-07-1993	DePaul	
	5	5,707,515	01-13-1998	DePaul	
	6	6,083,406	07-04-2000	DePaul et al.	
	7	6,818,046	11-16-2004	Lowry	
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